UNITED STATES PATENT AND TRADEMARK OFFICE

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10/732,920	12/10/2003	Mikio Aoki	9319M-000611	7357

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EXAMINER
DONABED, NINOS J

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _17 April 2009_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _2-4,7 and 9-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _2-4, 7, 9-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Amendment

This communication is in response to applicant's amendment dated 04/17/2009.

Claims 2, 7, 9 and 15-20 have been amended. Claims 2-4, 7, 9-20 are pending.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 2-4 and 7-15, 17 and 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hofrichter, (PCT/US01/45355) in view of Matsukura (United States

Patent 6,145,126) further in view of Jaffe (United States Patent 6806890.)

Regarding **Claim 2,**

Hofrichter teaches device management system comprising: a network device;

and a device management terminal connected to said network device, said device

management terminal managing said network device so that said device management

terminal and said network device can communicate with each other: **(See abstract,**

Hofrichter)

said device management terminal including a module storing section for storing a

function provision module that is applied to said network device to provide it with

functions, **See page 4 lines 12 – 24, Hofrichter teaches a module storing section.)**

a device information receiving section for receiving device information regarding said network device, **(See page 4 lines 12-24, Hofrichter teaches receiving device information.)**

a module reading section for reading said function provision module determined by said function I determining section from said module storing section, **(See page 3 lines 23-45, Hofrichter teaches the application being downloaded the network device.)**

a module sending section for sending said function provision module read by said module reading section to said network device, and **(See page 9 lines 16-35, Hofrichter teaches a client having a memory unit.)**

said network device including a device information storing section for storing said device information, a device information sending section for sending said device information stored by said device information storing section to said device management terminal, a module receiving section for receiving said function provision module, a module executing section for executing the function provision module received by said module receiving section. **(See page 9 lines 16-35, Hofrichter teaches a network device having a memory unit, a cpu, and a modem for connecting to the network.)**

Hofitcher does not explicitly teach a function selecting section that allows selection of one or more of the functions corresponding to the function provision module determined by said function determining section, and wherein said module reading

section reads out a function provision module that corresponds to a function selected by

the function selecting section from said module storing section, and

Matsukura teaches a function selecting section that allows a user to select one or

more of the functions corresponding to the function provision module determined by

said function determining section, and wherein said module reading section reads out a

function provision module that corresponds to a function selected by the function

selecting section from said module storing section, and **(See figures 26-29 and**

columns 19 line 25 – column 20 lines 55, Matsukura teaches a function selection

section that allows a user to select a function.)

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine Hofrichter and Matsukura because both deal with the

management of network devices. The advantage of combining Matsukura with

Hofrichter is that Matsukura allows computers to be moved to different locations while

the system automatically manages changes needed to linking addresses. **(See column**

1, Matsukura.)

Matsukura does not explicitly teach wherein said device management

terminal includes a selection interface generating section for generating a selection

interface through which one or more of the functions corresponding to the function

provision module determined by said function determining section, and

a function determining section for determining a function provision module that

has a function available to said network device based on a device type included in said

device information received by said device information receiving section

wherein said function selecting section presents the selection interface generated by said selection interface generating section to the user so that the user can select one or more of the functions.

Jaffe teaches a function determining section for determining a function provision module that has a function available to said network device based on a device type included in said device information received by said device information receiving section **(See figures 2-4 and column 5 line 23 – column 6 line 21, functions available based on device type)**

wherein said device management terminal includes a selection interface generating section for generating a selection interface through which one can select one or more of the functions corresponding to the function provision module determined by may be selectedermining section, and wherein said function selecting section presents the selection interface generated by said selection interface generating section to the user so that the user can select one or more of the functions may be selected. **(See figures 2-4 and column 5 line 23 – column 6 line 12, Jaffe teaches a GUI being generated which allows the user to select one of group of functions)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have known to combine the teachings of Jaffe with the system of Matsukura and Hofrichter because both deal with device management. The advantage of incorporating "said device management terminal includes a selection interface generating section for generating a selection interface through which one can select one or more of the functions corresponding to the function provision module determined by

said function determining section, and wherein said function selecting section presents

the selection interface generated by said selection interface generating section to the

user so that the user can select one or more of the functions" of Jaffe into the teachings

of Matsukura and Hofrichter is that makes the system more efficient and robust because

the managed objects are designed such that they inherently communicate with an

existing management graphical user interface without having to custom upgrade the

graphical user interface code for each new revision of the managed object. **(See**

column 1, Jaffe.)

Regarding **Claim 3**,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 2, wherein a plurality of said network devices are connected so that they can

communicate with the system, and **(See figure 1 and page 5 lines 1-28, Hofrichter.)**

said function provision module is a module that realizes a function that is

provided by at least two of said network devices working in combination. **(See page 4**

lines 8-11, Hofrichter.)

Regarding **Claim 4** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 3, wherein

said network device includes a device information acquisition section for

obtaining device information for another network device other than itself from that

network device among said plurality of network devices, and wherein said device

information sending section sends device information stored in said device information

storing section and device information obtained by said device information acquisition

section to said device management terminal. **(See page 12 line 7 through Page 13**

line 11, Hofrichter.)

Regarding **Claim 7** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 20, wherein said function selecting section generates a GUI screen on which

one or more of the functions corresponding to the function provision module determined

by said function determining section may be selected and presents the GUI screen to

the user so that the user can select one or more of the functions may be selected. **(See**

page 9, lines 3-15, Hofrichter.)

Regarding **Claim 9** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 20, wherein said network device includes a selection interface generating

section for generating a selection interface through which one or more of the functions

corresponding to function provision module determined by said function determining

section may be selected, and wherein said function selecting section presents the

selection interface generated by said selection interface generating section so that one

or more of the functions may be selected. **(See page 9, lines 3-30, Hofrichter .)**

Regarding **Claim 10** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 9, wherein said device information includes device type identification

information that identifies the type of said network device, and wherein said function

determining section determines a function provision module that has a function

available to said network device based on a function registration table that stores

functions associated with said device type identification information. **(See page 4, lines**

4-25, Hofrichter.)   Matsukuru teaches a registration table. **(See figures 20-22 and**

column 17 lines 24-65, Matsukura.)   The same motivation that was utilized in claim

1, applies equally as well to claim 10.

Regarding **Claim 11** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 10, wherein said device type identification information is a device type ID that

uniquely identifies the type of said network device, and said function determining

section determines a function provision module that has a function available to said

network device based on a function registration table that stores functions associated

with said device type IDs. **(See page 4, lines 4-25, Hofrichter.)**

Matsukuru teaches a registration table. **(See figures 20-22 and column 17 lines**

24-65, Matsukura.)

The same motivation that was utilized in claim 1, applies equally as well to claim

11.

Regarding **Claim 12** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 11, wherein:

said module storing section stores said function provision module as associated

with user ID, said device management terminal includes a user ID receiving section for

receiving said user ID, a second module reading section for reading a function provision

module corresponding to a user ID received by said user ID receiving section from said

module storing section, and a second module sending section for sending said function

provision module read by said second module reading section to said network device,

and said network device including a user ID storing section for storing a user ID, and a

user ID sending section for sending the user ID stored in said user ID storing section to

said device management terminal. **(See page 4, lines 4-25 and page 9 line 15 – page**

10 line10, Hofrichter.)

Regarding **Claim 13** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according

to claim 12, wherein: said device management terminal includes a provision limiting

section for limiting provision of a function provision module, and wherein said provision

limiting section prevents a function provision module that has been once provided to

said network device based on said user ID from being provided for a re-access based on the same user ID. **(See page 2 lines 23-29 and page 9 lines 9-11, Hofrichter .)**

Regarding **Claim 14** ,

Hofrichter, Matsukura, and Jaffe teach the device management system according to claim 12, wherein said device management terminal includes a provision limiting section for limiting provision of a function provision module, and wherein said provision limiting section defines the provision range of function provision module for each of said user ID, and prevents provision of a function provision module that has been provided to the network device based on said user ID beyond the provision range defined for the user ID. **(See page 2 lines 23-29 and page 9 lines 9-11, Hofrichter.)**

Claim 15 list all the same elements of **claim 1**, but in device management terminal form rather than device management system form. Therefore, the supporting rationale of the rejection to **claim 1** applies equally as well to **claim 15**.

Claim 16 list all the same elements of **claim 1**, but in network device form rather than device management system form. Therefore, the supporting rationale of the rejection to **claim 1** applies equally as well to **claim 16**.

Claim 17 list all the same elements of **claim 1**, but in programmable computer form rather than device management system form. Therefore, the supporting rationale of the rejection to **claim 1** applies equally as well to **claim 17**.

Claim 18 list all the same elements of claim 1, but in programmable computer

form rather than device management system form. Therefore, the supporting rationale

of the rejection to claim 1 applies equally as well to claim 18.

Claim 19 list all the same elements of claim 1, but in device management

method form rather than device management system form. Therefore, the supporting

rationale of the rejection to claim 1 applies equally as well to claim 19.

Claim 20 list all the same elements of claim 1. Therefore, the supporting

rationale of the rejection to claim 1 applies equally as well to claim 20.

Response to Arguments

Applicant's arguments with respect to claim 2-4, 7, and 9-20have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any response to this Office Action should be **faxed** to (571) 272-8300 or **mailed** to:

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, Virginia 22313-1450
>
> ***Hand-delivered responses should be brought to***
> Customer Service Window
> Randolph Building
> 401 Dulany Street
> Alexandria, Virginia 22314

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to NINOS DONABED whose telephone number is

(571)270-3526. The examiner can normally be reached on Monday-Friday, 7:30 AM-

5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. D./
Examiner, Art Unit 2444
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444